



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Barbara A. Lee, Director
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Berkeley, California 94710-2721



Edmund G. Brown Jr.
Governor

May 7, 2018

Mr. Derek Robinson
BRAC Environmental Coordinator
Navy BRAC PMO West
33000 Nixie Way; Bldg 50
San Diego California 92147

Dear Mr. Robinson:

The Department of Toxic Substances Control (DTSC) has reviewed the draft Radiological Data Evaluation Findings Report (Report) for Parcel E Soil dated December 2017 and received on January 2, 2018. DTSC is providing comments below. Some comments may have been previously submitted with the draft Radiological Data Evaluation Findings Reports for Parcels B and G, C, UC-1, UC-2, UC-3 and D-2. However, since not all responses and or revisions have been reflected in the Parcel E Soil report, the comments are being provided again. Revisions and responses from the Navy on these comments should be made in all of the Radiological Data Evaluation Findings Reports as appropriate.

DTSC in collaboration with the United States Environmental Protection Agency (US EPA) and the California Department of Public Health Environmental Monitoring Branch (CDPH-EMB) reviewed and evaluated the information provided in the Report.

General Comments

1. DTSC believes the number of survey units identified by the Navy as having evidence of potential data falsification in Parcel E (59%) warrants the need to resample all survey units within Parcel E. DTSC looks forward to working collaboratively with the Navy and other regulatory agencies to determine the sampling methods and the amount of sampling necessary to meet the conditions of the Record of Decision to allow for transfer of the property.
2. DTSC does not agree with the recommendations indicated in the Executive Summary and Section 4.3 regarding the number of trench units, fill units, and current and former building sites in Parcel E that require no further action (NFA). DTSC has reviewed the evaluation forms provided in this report in collaboration with CDPH-EMB and the US EPA. The US EPA will provide comments on this

Report at a later date and will include the regulatory agencies (DTSC, CDPH-EMB, and US EPA) recommendations for additional survey units to be resampled. The justification for these recommendations will also be provided.

3. Language should be added to the Executive Summary and Conclusions sections indicating the recommendations of the regulatory agencies and Oak Ridge Associated Universities on this document, similar to what was provided in the Parcel B and G report:
 - a. "Oak Ridge Associated Universities (ORAU), the City of San Francisco, USEPA, and state regulatory agencies (DTSC and CDPH) reviewed and provided comments on this report. ORAU concluded, that an additional X percent of soil and building soil survey units should be resampled. In addition, the US EPA and state regulatory agencies conducted a detailed review of the data evaluation forms. They included additional potential categories of concerns, such as data quality issues. Their findings call into question the reliability of soil data in an additional X percent of survey units in Parcel E. Their findings and other comments are presented in Appendix E. Because the Navy cannot provide assurance that the evaluation identified every instance of data manipulation or falsification, the Navy and regulatory agencies will work collaboratively to initiate a sample collection program to confirm protectiveness of human health and the environment."

Specific Comments

1. Executive Summary, bullet #7 – The statement from the previous bullet should be added to this one as well, "thereby reducing the probability of radiation detection".
2. Executive Summary, Reanalysis of Archived Samples – This should be deleted to comply with the Regulatory Agencies proposal. All survey units that are flagged for possible falsified data should be resampled. Reanalysis of Archived Samples (Initial systematic samples) is not acceptable. The Navy has indicated that there have not been allegations regarding the initial systematic sample results, however, this contradicts with the Navy's statement in Section 2.4.2 of this Report. the Navy has indicated at the Building 707 Triangle Area, *"it was determined that the data for the anomalous systematic samples initially collected from these survey units were not representative of the respective survey units, and the data were rejected."* This revision should be made throughout the Report.
3. Executive Summary, Confirmation Sampling – recommend retitling this Sampling, as well as deleting the word confirmation within the paragraph because this effort has become re-sampling to replace previously collected data rather than confirmation sampling.

4. Executive Summary, Assumptions and Uncertainties, bullet 2, 2nd paragraph – We are not sure of the reasoning for including the first sentence, “The work plan did not provide specific instructions for performing gamma static measurements at systematic and bias locations.” Recommend removing the sentence or revising it to reflect that specific instructions for performing gamma static measurements at systematic and bias locations will be provided in the TSP.
5. Executive Summary, Assumptions and Uncertainties, bullet 2, 2nd paragraph – States, “*The data evaluation compared the gamma static measurement results with the soil sample results and gamma scan results*”, and “*... final decisions regarding property transfer were based solely on soil sample data and the collection of gamma static measurements was not considered in these decisions, confirmation sampling was only recommended when potential falsification of soil sample results was identified.*” In the absence of gamma static measurement results, which should have been conducted based on the gamma scan results, were final systematic soil samples flagged for resampling? If not, why?
6. Section 1.3, Assumptions and Uncertainties – See Specific Comment 5.
7. Section 1.3, Assumptions and Uncertainties, 2nd paragraph – See Specific Comment 4.
8. Section 4 – See Specific Comment 2.
9. Section 4.1.2 – Indicates there was evidence of potential data manipulation or falsification at 64 fill units and that 60 of the 64 were recommended for confirmation sampling. However, the text that follows indicates that all 64 fill units are being recommended for confirmation sampling. Please clarify and/or revise.

CDPH-EMB will provide comments under a separate cover at a later date. If you have any questions, please feel free to contact me at (510) 540-2480 or Juanita.bacey@dtsc.ca.gov.

Sincerely,



Nina Bacey, Project Manager
Brownfields and Environmental Restoration
California Department of Toxic Substances Control

Enclosure

cc: See next page

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cc: via email

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